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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Alberte, R. et al.	Atty. Docket No.: PHA-003.01
Serial No.: 09/406,184	Examiner: Nguyen, H.
Filing Date: 23 September 1999	Art Unit: 1617
Title: <i>Antifouling Compounds and Uses Thereof</i>	

Assistant Commissioner for Patents  
Washington, DC 20231

**Certificate of Mailing**

I hereby certify that the instant "*Response to Restriction Requirement*" is being deposited on the date set forth below with the U.S. Postal Service as First Class Mail in a postage-prepaid envelope addressed to:

Assistant Commissioner for Patents, Washington, DC 20231.

10/9/01

By:

*Tobin Skinner*

Date of Signature and Mail Deposit

Tobin Skinner

***Response to Restriction Requirement***

Dear Examiner Nguyen:

In response to the Applicants' Amendment & Response, filed July 3, 2001, in the above-identified application, the Examiner has issued a second Restriction Requirement, mailed September 14, 2001. Specifically, the Examiner requests an election of Species with respect to Z, i.e., the Applicants are requested to elect either Z is unsubstituted aryl or Z is substituted aryl.

The Applicants respectfully elect the Species wherein Z is substituted aryl. Pending claims 34, 37-40, and 58-114 read on the elected Species. Finally, the Applicants elect the single disclosed Species wherein Z is 4-(tert-butyl)phenyl.

Of course, the election of Species made herein is made solely for search purposes. The Applicants expressly reserve the right to prosecute species not elected herein in other patent applications claiming the benefit of the filing date of this application. Furthermore, the Applicants understand that upon allowance of a generic claim, they will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim. See 37 CFR 1.141.

The Applicants believe that no fees are due in connection with the filing of this Response. Nevertheless, the Commissioner is hereby authorized to charge to our Deposit Account, No. 06-1448, any fees due in connection with the filing of this Response.

Respectfully submitted,  
Foley, Hoag & Eliot LLP

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Date: 10/9/01

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